

March 18, 2022

V.A. Shiva Ayyadurai, Ph.D.
Chairman & C.E.O.
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Via E-Mail and First Class Certified Mail

Carolyn B. Maloney
Chairwoman
U.S. House of Representatives
Committee on Oversight and Reform

Jamie Raskin
Chairman
U.S. House of Representatives
Subcommittee on Civil Rights and Civil Liberties

RE: Response to March 16, 2022, Letter Concerning EchoMail and Shiva Ayyadurai

Dear Chairwoman Maloney and Chairman Raskin:

I am responding to a letter dated March 16, 2022, that was sent to EchoMail's President and Chief Executive Officer, V.A. Shiva Ayyadurai, Ph.D., from your Committee requesting information regarding EchoMail's 'participation in an audit' of the 2020 election in Otero County, New Mexico.

Your inquiry and request for information appear to be premised on certain allegations of misconduct by EchoMail concerning that audit. Specifically, the March 16 letter alleges EchoMail's "involvement in a door-to-door canvass of Otero County voters" and accuses EchoMail of potentially "interfer[ing] with Americans' right to vote by spreading misinformation about elections and intimidating voters."

These allegations appear to be based on a news report from The Daily Beast¹ claiming "EchoMail . . . contracted the 'New Mexico Audit Force' or NMAF, a Telegram group that routinely promotes election conspiracy theories" and directed that group "to knock on Otero

¹ The article in question was published March 14, 2022, and titled "Election 'Vigilante' Group Posing as County Workers, Says New Mexico's State Auditor." See <https://www.thedailybeast.com/vigilante-new-mexico-audit-force-posing-as-county-workers-says-state-auditor>

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County doors and ask residents about their votes.” That report also asserts several other implicit links between EchoMail and allegations of improper voter canvassing by NMAF. These statements unfortunately appear to have snowballed: NBC News published a report on March 17, 2022 morning accusing “*EchoMail’s* canvassers” of harassing and intimidating voters in Otero County.

These allegations are false. **EchoMail has no canvassers** be it in Otero County or any other part of the country or world. Neither has Otero County contracted EchoMail to do door-to-door canvassing nor has EchoMail contracted any other party to do any door-to-door canvassing in Otero County.

After seeing this false report, my attorney immediately sent a letter (see attached) to the State Auditor of New Mexico documenting EchoMail’s actual and factual contractual relationship with Otero County.

The fact is that in January 2022, local commissioners in Otero County retained EchoMail to establish a data warehouse solution to assist the County. The contract that was entered into is publicly available to you. EchoMail ***did not***, however, contract NMAF or direct that group to knock on doors. EchoMail is not associated in any way with any alleged actions by NMAF - and certainly ***not*** a contractual relationship. EchoMail has no oversight of NMAF, and provides no guidance to NMAF. Accordingly, EchoMail was not – as your March 16 letter suggests – involved in any door-to-door canvassing of Otero County voters.

EchoMail is not conducting any audit in Otero County and was contracted to solely provide a data warehouse system including professional services and software licenses, and specific data analysis services for the County. As of the writing of this letter, EchoMail has completed the work assigned in this contract.

I hope this clarifies our obligations to the County, per your letter on March 16, 2022.

Thank you.

Sincerely,



Dr. V.A. Shiva Ayyadurai
Chairman and C.E.O.
EchoMail, Inc.

Encl.: Letter to State Auditor of Otero County

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Honorable John V. Phelan
First Judge of Probate
County of Essex
1938-1965

Brian S. Colón
New Mexico State Auditor
2540 Camino Edward Ortiz, Suite A
Santa Fe, NM 87507

3-16-22

Re: Misrepresentations concerning EchoMail in Otero County Audit

Dear Mr. Colón:

This office represents EchoMail, Inc. It has come to my attention your office has provided inaccurate information and/or made misrepresentations to the press concerning EchoMail in their 2020 Election Audit underway in Otero County, New Mexico.

For clarification purposes, on January 25, 2022, EchoMail *proposed* various items that could be included in an Audit. Otero County ultimately agreed to certain numbered items (1 & 2 only) from this letter, which was then put in a Statement of Work. Specifically omitted from this Statement of Work were items numbered 3,4,5,6 and 7 outlined in the January 25th letter. Please note, the “Full Voter Registration Canvass” with EchoMail providing “guidance” to the New Mexico Audit Force **was not part** of the contracted services with the County. EchoMail would only be using Door to Door Data *received* for use in their Integrated Data Warehousing function identified as Item #1 in the January 25th letter and the Statement of Work. To be clear, EchoMail does not have a contract with NMAF, has no oversight of NMAF and provides no guidance to NMAF. Publishing, repeating or providing anything contrary to these facts as outlined above is false, defamatory and sullies the reputation of EchoMail, Inc., and its principals. EchoMail has been in business since 1997, and has received national and international awards for its technology and services over the years.

Furthermore, it appears there is political animosity and finger pointing between the State and County Governments in New Mexico, which has nothing to do with EchoMail. If this is accurate, we demand you keep EchoMail out of any ongoing or future bickering. EchoMail has been legally contracted to provide services to the County and wishes to do so without becoming embroiled in any pettiness or part of any local political “turf war”. I am sure you understand.

Thus, we hereby demand you ***Cease and Desist*** from engaging in similar activity moving forward.

If you have any question please do not hesitate to contact me directly.

Very truly yours,
Timothy Phelan
Timothy Phelan

Via Us Mail and email to: Brian.Colon@osa.state.nm.us